

### **REMARKS/ARGUMENTS**

In view of the amendments and remarks herein, favorable reconsideration and allowance are respectfully requested. By this Amendment, claims 1, 14, 25, 36, 43, and 44 are amended. Thus, claims 1-44 are pending for further examination.

All claims 1-44 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Itou (U.S. Patent No. 6,439,998) in view of Nakatani et al. (U.S. Patent No. 5,720,663), Komoto (U.S. Patent No. 6,273,814), Okita et al. (U.S. Patent No. 6,422,945) and Suzuki et al. (U.S. Patent No. 5,592,609). Applicant previously argued that the alleged combination failed to teach or suggest “one or more second storage locations for storing, for a plurality of enemies, one or more operation timing patterns indicating the timing of one or more sequential player inputs to be input in association with a corresponding enemy,” as required by claim 1, or the similar features required by claims 14, 25, 36, 38, 43, and 44. The Examiner is thanked for providing the “Response to Arguments” section on page 22 of the Office Action. As explained in greater detail below, however, Applicant respectfully submits that the five-way combination of Itou, Nakatani, Komoto, Okita, and Suzuki still fails to render obvious the invention defined by the claims.

Page 22 of the Office Action appears to argue that Itou teaches a “general fighting time” in column 5, lines 34-53. According to the Office Action, as long as the game player fights against a computer-controlled enemy character, “the time controlled for the player is also changed for the enemy.” The Office Action goes on to allege that “while the active or wait time varies for the player controlled character, it is also controlled to affect the enemy character.” Presumably, these statements mean that in a game where a player character and a computer-

controlled enemy character take turns fighting, the active or wait time of one character will affect the other character.

Applicant notes that this position is a slightly inaccurate interpretation of what Itou actually teaches. That is, column 6, line 58 to column 7, line 5 of Itou states that:

“The term the ‘waiting time’ as herein used means a time required for a character from the completion of an action until it can execute the next action. During waiting, i.e., after the completion of an action, the character cannot conduct any action until the measured time reaches the set value of waiting time. When the set value of waiting time is large, i.e., with a long waiting time, the character cannot frequently execute actions during a battle, and susceptible to attack from the enemy character during waiting, thus putting the character at a disadvantage. When the set value of waiting time is small, i.e., with a short set time of waiting time, in contrast, the character can frequently conduct actions during a battle, thus permitting more attacks than from the enemy character during waiting, leading to a more favorable position” (emphasis added).

Thus, it is clear that Itou merely teaches temporarily pausing the action of a particular character for a predetermined “waiting time.” It is perhaps not surprising that characters that are paused for a long time (i.e., have a long waiting time) are more susceptible to attack than characters that are paused for a short time (i.e., have a short waiting time). Itou merely teaches a delay time between enemy actions and hints at some of the possible consequences of such delay times.

In marked contrast, claim 1 requires “one or more second storage locations for storing, for a plurality of enemies, one or more operation timing patterns indicating the optimal timing of one or more sequential player inputs to be input in association with a corresponding enemy.” A first example operation timing pattern is shown in Figs. 7a-7c, and a second example operation timing pattern is shown in Figs. 7d-7i. From these illustrative figures, it is clear that more than mere “waiting” is required by claim 1 -- quite the contrary, an enemy character actually is moving according to these example patterns.

Fig. 8a provides one example of how such illustrative operation timing patterns may work together with one or more sequential player inputs. That is, Fig. 8a shows a small and large amount of the damage depending upon the operation timings and the player input. In the Fig. 8a example, when the player operates a button when the instruction image reaches the lowermost position or comes near thereto, the attack is regarded as a success, and it is possible to damage the enemy character. In the Fig 8a example, the damage to be applied to the enemy character is greatest when a timing of an attacking operation by the player (operation timing) and a timing of the instruction image being displayed at the lowermost position are coincident with each other and, as a degree of coincidence becomes lower, the damage to be applied to the enemy character becomes gradually smaller. Additionally, if the degree of coincidence is out of a constant value, that is, if the operation timing exceeds the predetermined range, the attack is regarded as a failure, and no damage is applied to the enemy character.

Inasmuch as Itou merely teaches a delay time between enemy actions and hints at some of the possible consequences of such delay times, it clearly fails to teach or suggest operation timing patterns indicating the optimal timing of one or more sequential player inputs to be input in association with a corresponding enemy. As such, Applicant respectfully submits that the alleged Itou/Nakatani/Komoto/Okita/Suzuki combination fails to render obvious the invention defined by claim 1.

The other independent claims (i.e., claims 14, 25, 36, 38, 43, and 44) include similar limitations to those noted above with respect to claim 1. Thus, these claims should be allowable for substantially the same reasons described above. Additionally, all of the dependent claims should be allowable, at least by virtue of their dependence on one of the allowable independent

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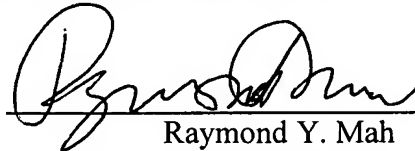
claims. Accordingly, reconsideration and withdrawal of this Section 103 rejection are respectfully requested.

In view of the foregoing amendments and remarks, withdrawal of the rejections and allowance of this application are earnestly solicited. Should the Examiner have any questions regarding this application, or deem that any formalities need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

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